

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PHILIP LEO SANDS,)	
)	
Petitioner,)	No. C 10-5315 CW
)	
v.)	ORDER TO SHOW
)	CAUSE
)	
GREG LEWIS, Acting Warden, Pelican)	
Bay State Prison, THE ATTORNEY)	
GENERAL OF THE STATE OF CALIFORNIA,)	
)	
Respondents,		

Petitioner, a state prisoner, has filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Good cause appearing, the Court hereby issues the following orders:

1. The Clerk of the Court shall serve a copy of this Order and the petition and all attachments thereto upon Respondents and Respondents' attorney, the Attorney General of the State of California.

2. Respondents shall file with this Court and serve upon Petitioner and his attorney within sixty (60) days of the issuance of this Order, an Answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of habeas corpus should not be issued. Respondents shall file with the Answer a copy of all portions of the relevant state records that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.

3. If Petitioner wishes to respond to the Answer, he shall

1 do so by filing a Traverse with the Court and serving it on
2 Respondent within thirty (30) days of his receipt of the Answer.
3 Should Petitioner fail to do so, the petition will be deemed
4 submitted and ready for decision sixty (60) days after the date
5 Petitioner is served with Respondent's Answer.

6 4. Respondents may file a motion to dismiss on procedural
7 grounds in lieu of an Answer, as set forth in the Advisory
8 Committee Notes to Rule 4 of the Rules Governing Section 2254
9 Cases. If Respondents file such a motion, Petitioner shall file
10 with the Court and serve on Respondents an opposition or statement
11 of non-opposition to the motion within thirty (30) days of receipt
12 of the motion, and Respondents shall file with the Court and serve
13 on Petitioner and his attorney a reply within fifteen (15) days of
14 receipt of any opposition.

15 5. Extensions of time are not favored, though reasonable
16 extensions will be granted. Any motion for an extension of time
17 must be filed no later than ten (10) days prior to the deadline
18 sought to be extended.

19
20 IT IS SO ORDERED.

21
22 DATED: 12/1/2010

23 
CLAUDIA WILKEN
United States District Judge